

# **EXHIBIT A**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

IN RE: ASHLEY MADISON CUSTOMER DATA	)	
SECURITY BREACH LITIGATION	)	
	)	MDL No. 2669
This Document Relates to:	)	
	)	4:15-MD-2669-JAR
ALL CASES	)	
	)	

**DECLARATION OF BRIAN DEVERY REGARDING FINAL ACCOUNTING FOR  
SETTLEMENT FUND**

I, Brian Devery, pursuant to section 1746 of title 28 of the United States Code, declare as follows:

1. I am a Project Manager with Angeion Group (“Angeion”), the claims administrator retained in this matter. Angeion’s office is located at 1801 Market Street, Suite 660, Philadelphia, PA 19103. I am over 21 years of age and am not a party to this action. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto. Angeion was appointed by the Court to serve as Settlement Administrator and to among other tasks, publish Notice; establish and maintain a case specific website and email address; establish and maintain a toll-free hotline; respond to Class Member inquiries; and perform other duties as specified in the Settlement Agreement, following the Court’s July 21, 2017 Order Granting Preliminarily Approval of Settlement, Directing Notice to the Class, Scheduling Final Approval Hearing and Certifying a Settlement Class. Angeion is not related to or affiliated with any of the attorneys comprising Class Counsel or counsel for Defendants.
2. I submit this declaration to supplement my prior declaration, which was executed on January 31, 2018.

3. On January 31, 2018, Pursuant to the Settlement Agreement and this Court's Orders, Angeion caused 3,849 payments to be distribution to class members totaling \$3,624,933.67<sup>1</sup>.

4. Payments by check were valid for a term of 90 days (May 1, 2018). Reissued checks were requested and remailed on the final void date, which provided Claimants with an additional 30 days to negotiate the reissued checks (May 31, 2018). On June 1, 2018 Angeion caused all outstanding payments to be voided.

#### **Administration Fees and Settlement Class Counsel Expenses**

5. Angeion prepared a final invoice to effectuate the completion of the settlement administration, and it was informed that Class Settlement Counsel incurred additional expenses for which the Court ordered reimbursement. Pursuant to this Court's Orders, Angeion made a distribution to cover the final administration costs and to pay Class Settlement Counsel for the additional expenses approved by the Court, and those distributions were made from the funds remaining in the Settlement Fund (the Reserve and any unclaimed funds).

#### **Second and Final Cy Pres Distribution**

6. As of July 16, 2018, the funds remaining in the Qualified Settlement Fund, comprising uncashed checks and the reserve initially held (minus final expenses), totaled \$230,627.86 (the "Remainder").

7. Pursuant to the Court's Final Approval Order, the Remainder was divided pro-rata among the Cy Pres recipients and will be distributed as follows on July 16, 2018:

<b>Cy Pres Recipient</b>	<b>Amount</b>
Electronic Frontier Foundation	\$28,828.49
National Consumers League	\$28,828.49
Public Justice	\$28,828.48
GirlSpring	\$28,828.48
No Bully	\$28,828.48
Berkman Klein Center for Internet & Society at Harvard University	\$28,828.48
Center for Internet Society at Stanford Law School	\$28,828.48
Electronic Privacy Information Center	\$28,828.48

<sup>1</sup> During the Quality Assurance Process, Angeion located and removed certain duplicate and test claims which accounted for 23 records with a distribution value of \$23,027.99.

8. Upon completion of the distribution of the Cy Pres payments described in paragraph 7 above, Angeion will have issued all payments as directed by this Court and it will file a final tax return. Upon the negotiation of the Cy Pres payments, Angeion will close the Qualified Settlement Fund and destroy all paper and electronic data stored to effectuate claims processing and payment tracking.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge. Executed this 16th day of July, 2018, at Oakdale, NY.

  
Brian Devery